

UNITED STATES DISTRICT COURT  
for the  
EASTERN DISTRICT OF NORTH CAROLINA

**U.S.A. vs. Emily L. Tankard**

**Docket No. 2:15-MJ-1036-1BO**

**Petition for Action on Probation**

COMES NOW Melissa K. Gonigam, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Emily L. Tankard, who, upon an earlier plea of guilty to OUI: Operating Under the Influence of Alcohol Greater than .08, in violation of 36CFR § 4.23(a)(2), was sentenced by the Honorable Terrence W. Boyle, U.S. District Judge, on December 7, 2015, to 14 months probation under the conditions adopted by the court.

On February 23, 2016, a Petition for Action was submitted to the court advising that a urine specimen collected from the defendant on December 16, 2015, tested positive for cocaine and cannabis. As a result of the violation, the defendant was ordered to complete 20 hours of community service.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:**

A urine specimen collected from the defendant on February 22, 2016, was determined by the national laboratory to be positive for cannabis. As a sanction for this violation, we are recommending that the defendant participate in substance abuse treatment.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

**PRAYING THAT THE COURT WILL ORDER** that probation be modified as follows:

1. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing  
is true and correct.

/s/ Dwayne K. Benfield  
Dwayne K. Benfield  
Supervising U.S. Probation Officer

/s/ Melissa K. Gonigam  
Melissa K. Gonigam  
U.S. Probation Officer  
201 South Evans Street, Rm 214  
Greenville, NC 27858-1137  
Phone: (252) 830-2345  
Executed On: March 17, 2016

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ORDER OF THE COURT

Considered and ordered this 18 day of March, 2016 and ordered filed and made a part of the records in the above case.

  
Terrence W. Boyle  
U.S. District Judge